



City of Colorado Springs

Regular Meeting Agenda - Final City Council

City Hall
107 N. Nevada Avenue
Colorado Springs, CO
80903

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Tuesday, June 9, 2020

10:00 AM

Council Chambers

How to Watch the Meeting

Coloradosprings.gov/springstv | Facebook Live: Colorado Springs City Council
Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)
- CenturyLink Channel 18

How to Comment on Agenda Items

Before the meeting, you may email general comments for items not on the agenda or comments regarding agenda items to: allcouncil@coloradosprings.gov

During the meeting, those who wish to comment should submit their name, telephone number, and the topic or agenda item for comment via allcouncil@coloradosprings.gov in addition to calling +1 720-617-3426 United States, Denver (Toll) and entering this Conference ID: 436 480 628#

1. Call to Order

2. Invocation and Pledge of Allegiance

3. Changes to Agenda/Postponements

4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

4A.A. [CPC ZC
19-00178](#)

Ordinance No. 20-31 amending the zoning map of the City of Colorado Springs pertaining to 0.206-acre located at 2217 Bott Avenue from R2 (Two-Family Residential) to C5 (Intermediate Business).

(Quasi-Judicial)

Related Files: CPC ZC 19-00178 and AR DP 15-00139-A1MJ19

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Development
Peter Wysocki, Director, Planning and Community Development

Attachments: [ZC ORD PubDog](#)
[Exhibit A-legal description](#)
[Exhibit B-zoning depiction](#)

4A.B. [CPC ZC
19-00175](#)

Ordinance No. 20-32 amending the zoning map of the City of Colorado Springs relating to 6.8 acres located at 1265 Kelly Johnson Boulevard from PIP-1 (Planned Industrial Park) to PBC (Planned Business Center)

(Quasi-Judicial)

Related files: CPC ZC 19-00175, CPC CU 19-00176

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [ZC Ordinance](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Legal Description Depicted](#)
[1 - Vicinity Map](#)

4A.C. [CPC ZC
20-00017](#)

Ordinance No. 20-33 amending the zoning map of the City of Colorado Springs relating to 14.93 acres located northwest of the intersection of Briargate Parkway and Grand Cordera Parkway from A (Agriculture) to PBC (Planned Business Center).

(Quasi-Judicial)

Related files: CPC ZC 20-00017, CPC CP 20-00018

Presenter:

Katie Carleo, Principal Planner, Planning and Community Development
Peter Wysocki, Planning Director, Planning and Community
Development

Attachments:

[ZC ORD BriargateCrossingEastNo.6](#)

[Exhibit A - Zone Change and Legal Description](#)

[Exhibit B - Zone Change Depiction](#)

[EXHIBIT 1 Vicinity and Surrounding Uses](#)

[EXHIBIT 2 BCE No.6 Concept Plan](#)

[EXHIBIT 3 PlanCOS Supporting Map](#)

4A.D. [20-173](#)

Ordinance No. 20-34 of the City of Colorado Springs, Colorado providing for the refunding of certain outstanding Utilities System Revenue Bonds of the City; providing for the extension, betterment, other improvement and equipment of the City of Colorado Springs Utilities System; providing for the issuance and sale of the City of Colorado Springs, Colorado, Utilities System Refunding Revenue Bonds, Series 2020A in an aggregate principal amount not to exceed \$285,000,000, the City of Colorado Springs, Colorado, Utilities System Refunding Revenue Bonds, Series 2020B (Private Activity) in an aggregate principal amount not to exceed \$68,500,000 and the City of Colorado Springs, Colorado, Utilities System Improvement Revenue Bonds, Series 2020C in an aggregate principal amount not to exceed \$110,000,000 payable solely out of the Net Revenues to be derived from the operation of the City of Colorado Springs Utilities System; authorizing the execution by the city of a Paying Agent Agreement, Escrow Agreements, a Bond Purchase Agreement and an Official Statement related thereto; and providing other matters relating thereto.

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments:

[CSU 2020ABC Bond Ordinance 4845-2830-0980_6](#)

[Ordinance Summary \(First Publication\) 2020ABC 4845-6589-7147_2](#)

4A.E. [20-216](#)

Ordinance No. 20-35 of the City of Colorado Springs, Colorado providing for the refunding of certain outstanding Utilities System Revenue Bonds of the City; providing for the issuance and sale of the City of Colorado Springs, Colorado, [Taxable] Utilities System Refunding Revenue Bonds, series 2020D [2021A] in an aggregate principal amount not to exceed \$86,000,000, payable solely out of the Net Revenues to be derived from the operation of the City of Colorado Springs Utilities System; authorizing the execution by the City of a Paying Agent Agreement, an Escrow Agreement, Bond Purchase Agreements and an Official Statement related thereto; and providing other matters relating thereto.

Presenter:

Scott Shewey, Acting Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments:

[CSU 2020D-2021A Bond Ordinance 4825-6984-1849_5](#)

[Ordinance Summary \(First Publication\) 2020D-2021A 4821-4735-7115_2](#)

4B. First Presentation:

- 4B.A. [20-141](#)** A resolution extending the suspension of the Rules of the City Council of the City of Colorado Springs and authorizing the conduct of electronic or telephonic quasi-judicial hearings and executive sessions during the period of the state of emergency declared for the City of Colorado Springs and resulting from a public health emergency caused by the 2019 Novel Coronavirus

Presenter:
Wynetta Massey, City Attorney

Attachments: [City Council Resolution Electronic Meetings 05-26-20.docx](#)
[Signed Resolution 19-20.pdf](#)
[Signed Resolution 23-20.pdf](#)

- 4B.B. [20-253](#)** City Council Regular Meeting Minutes May 26, 2020

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [5-26-2020 City Council Meeting Minutes Final](#)

- 4B.C. [20-195](#)** A Resolution Approving a Memorandum of Understanding among Colorado Springs Utilities, the City of Colorado Springs, El Paso County, the El Paso-Teller County E911 Authority, Teller County, and the City of Fountain to Acquire Digital Orthorectified Imagery in 2020

Presenter:
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities
Michael Herrmann, Manager -Asset Management/Geospatial Technology, Colorado Springs Utilities
Renee Congdon, Senior Attorney, City Attorney's Office-Utilities Division

Attachments: [PPGA OP 2020 MOU](#)
[PPGA2020Project_RES-2020-04-28.docx](#)

- 4B.D. [20-196](#)** A Resolution Approving an Intergovernmental Agreement for Fire Protection and Incident Response Services

Presenter:
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [TCSO & CSU Fire Protection and Incident Response Services Agreement \(2\)](#)
[TellerCountyWildlandFireTeam_FireProtAndIncRespIGA_RES](#)

- 4B.E.** [20-197](#) A Resolution Approving an Intergovernmental Agreement for Wildfire Mitigation and Suppression Planning

Presenter:

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [TCSO & CSU Wildfire Mitigation and Suppression Planning Agreement \(2\)](#)
[TellerCountyWildlandFireTeam MitigationAndSuppressionPlanningIGA RES](#)

- 4B.F.** [20-210](#) A Resolution authorizing the abandonment or partial abandonment of several 2020 Lodgers and Auto Rental Tax (LART) projects and contracts totaling \$3,488,711 and the transfer of LART funds in the amount of \$90,000 to three additional projects and events recommended by the LART Citizen Advisory Committee, with the remaining \$3,398,711 reserved for expenditure budget reductions necessitated by the projected LART revenue loss due to COVID-19 impacts on the lodging and auto rental industries

Presenter:

Charae McDaniel, Chief Financial Officer

Laurel Prud'homme, LART Citizens Advisory Committee Chair

Attachments: [VERSION 2-Resolution to abandon and transfer 2020 LART Projects-with Ex A](#)
[VERSION 2-Exhibit A for LART item 20-210](#)

5. Recognitions

6. Citizen Discussion For Items Not On Today's Agenda

7. Mayor's Business

8. Items Called Off Consent Calendar

9. Utilities Business

10. Unfinished Business

10.A. [CPC PUZ
19-00090](#)

An ordinance amending the zoning map of the City of Colorado Springs relating to 61.71 acres located southeast of Powers Blvd and Highway 83 from A (Agriculture) to PUD (Planned Unit Development: 35-foot maximum height, single-family detached units, maximum density of 4.0 du/ac)

(Quasi-Judicial)

Related File: CPC PUP 19-00091

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[ZC Ordinance](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Legal Description Depicted](#)

[Vicinity Map](#)

[Kettle Creek North Presentation](#)

[CPC Staff Report - Kettle Creek](#)

[Figure 1 - Concept Plan](#)

[Figure 2 - Project Statement](#)

[Figure 3 - Surrounding Area & Context Map](#)

[Figure 4 - Neighborhood Comments](#)

[Figure 5 - Briargate Master Plan](#)

[Kettle Creek North - Additional Public Comments](#)

[CPC Minutes KettleCreek draft](#)

[7.5.603.B Findings - ZC](#)

[7.3.603 Establishment & Development of a PUD Zone](#)

[City Planning Commission Minutes - 4.30.20](#)

- 10.B.** [CPC PUP
19-00091](#) The Kettle Creek North Concept Plan for a single-family residential development with density between three and four dwelling units per acre, generally located south and east of the Powers Boulevard and Highway 83 intersection.

(Quasi-Judicial)

Related File: CPC PUZ 19-00090

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Figure 1 - Concept Plan](#)
[7.5.501.E Concept Plans](#)
[7.3.605 PUD Concept Plan](#)

11. New Business

- 11.A.** [CPC CA
20-00006](#) An ordinance amending Article 2 (Basic Provisions, Definitions, and Land Use Types and Classifications) and Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Accessory Family Suites

(Legislative)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development Department

Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD CodeAmendment AccessoryFamilySuites](#)
[6.9.20 ADUs](#)
[CPC Staff Report - Accessory Dwelling Unit](#)
[Ordinance 1.1 - Accessory Family Suites](#)
[Affidavit - Occupancy total](#)
[Restrictive Covenant - Subdivision](#)
[Council Work Session Minutes - 9.9.19](#)
[Council Work Session Minutes - 01.27.20](#)
[City Planning Commission Minutes 4.30.20](#)
[5.22.20 City Council Work Session Presentation](#)

- 11.B. [CPC CA 20-00087](#) An ordinance amending multiple sections of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications) and Multiple sections of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Accessory Dwelling Units

(Legislative)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development Department

Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD_CodeAmendmentADU_Definitions & Conditional Use Permit Restrictive Covenant - Owner Occupancy Restrictive Covenant - Subdivision](#)

- 11.C. [CPC CA 20-00088](#) An ordinance amending Part 5 (Overlay Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Accessory Dwelling Unit Overlay

(Legislative)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development Department

Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD_CodeAmendment_ADUOverlay](#)

- 11.D. [20-150](#) A Resolution Authorizing the Acquisition of Approximately 341.5 Acres of Open Space located in the Mountain Shadows Open Space Candidate Area through the Trails, Open Space and Parks Program.

Presenter:

Britt Haley, TOPS Program Manager, Parks, Recreation & Cultural Services Department

Attachments: [Final Offer Summary Letter 11.21.19 ResolutionMTNSHADOWSOPENSSPACEAcquisitionFINAL CCJune8WorkSessionMtnShadowsAcquisitionsPowerpoint](#)

11.E. [20-151](#)

An Ordinance Amending Ordinance No. 19-87 (2020 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$6,243,900 for the Phase I Acquisition of Approximately 193.47 Acres of Property at the Black Canyon Quarry and 89.85 Acres of Property Known as the Pikeview Frontage Property (of a total of 148.02 Acres) for the Purpose of Public Open Space and Trails in the Mountain Shadows Candidate Open Space Area.

Presenter:

Britt Haley, TOPS Program Manager, Parks, Recreation & Cultural Services Department

Attachments: [Appropriation Ordinance.MTNSHADOWS_PhaseI](#)

12. Public Hearing

- 12.A. [CPC PUZ 19-00095](#) An appeal of Planning Commission's recommendation to the City Council to amend the zoning map of the City of Colorado Springs pertaining to 59.52 acres from A (Agriculture) to PUD (Planned Unit Development: 35-foot maximum height, single-family detached units, 2-3.5 dwelling units per acre).

(Quasi-Judicial)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[ZC Ordinance](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Legal Description Depicted](#)

[Vicinity Map](#)

[1 - Notice of Appeal & Appellant Narrative](#)

[2 - Palermo - Additional Public Comments](#)

[Palermo Presentation](#)

[CPC Minutes Palermo Filings 345 draft](#)

[CPC Staff Report - Palermo Filings 3, 4, and 5](#)

[Figure 1 - Development Plan](#)

[Figure 2 - Project Statement](#)

[Figure 3 - Public Comments \(Initial & Following Neighborhood Meeting\)](#)

[Figure 4 - Public Comments \(Following CPC Notification\)](#)

[Figure 5 - Flying Horse Master Plan](#)

[Figure 6 - Deer Creek at Northgate Staff Report](#)

[Item 6.D.E. - Palermo - Additional Public Comments](#)

[7.5.603.B Findings - ZC](#)

[7.3.603 Establishment & Development of a PUD Zone](#)

[7.5.906 \(B\) Planning Commission Appeal](#)

- 12.B. [CPC PUD 19-00096](#) An appeal of Planning Commission's recommendation to the City Council to approve the Palermo Filings 3, 4, and 5 Development Plan for 151 single-family detached residential units located north and east of the Voyager Parkway and Ridgeline Drive intersection.

(Quasi-Judicial)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Figure 1 - Development Plan](#)
[7.5.502.E Development Plan Review](#)
[7.3.606 PUD Development Plan](#)
[7.5.906 \(B\) Planning Commission Appeal](#)

13. Added Item Agenda

14. Executive Session

- 14.A. [20-269](#) In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(b) and (e), the City Council, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issue to be discussed involves consultation with the City Attorney regarding matters that may be subject to negotiations pertaining to an economic development project.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may conduct an electronic Closed Executive Session. Each City Councilmember participating in the electronic Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the electronic Closed Executive Session is present or able to hear the matters discussed as part of the electronic Closed Executive Session. If consent to the electronic Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Presenter:

Wynetta Massey, City Attorney

Attachments: [06092020Open-Closed](#)

15. Adjourn

